



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

IN REPLY REFER TO:

5730

TMLO/CD

16 July 19

The Honorable Duncan Hunter
House of Representatives
Washington, DC 20515

Dear Representative Hunter,

This office serves as the Trademark Licensing Office to the U.S. Marine Corps (USMC). It has come to our attention that your campaign is using the official USMC Eagle, Globe and Anchor (Emblem) and the phrase "No Better Friend, No Worse Enemy," (Phrase), as an integral part of your political campaign, namely, on at least one fundraising mailer to your constituents (Attachment A). (Pursuant to Executive Order 10538, "... The central device of the seal is the emblem of the United States Marine Corps. ..." i.e., the Eagle, Globe and Anchor.) Please be advised that, in addition to being a registered U.S. trademark, the official USMC Emblem is protected by Federal statute and regulation, and may not be used by third parties without permission.

Respectfully, please see 10 U.S.C. 7881--Unauthorized use of Marine Corps insignia, which states:

(a) The seal, emblem, and initials of the United States Marine Corps shall be deemed to be insignia of the United States.

(b) No person may, except with the written permission of the Secretary of the Navy, use or imitate the seal, emblem, name, or initials of the United States Marine Corps in connection with any promotion, goods, services, or commercial activity in a manner reasonably tending to suggest that such use is approved, endorsed, or authorized by the Marine Corps or any other component of the Department of Defense.

Moreover, the phrase, "No Better Friend, No Worse Enemy" is a registered Marine Corps trademark and your use of the Phrase and the Emblem is likely to convey the impression that the Marine Corps favors your candidacy over another, or "endorses" your views on a particular issue, and is a use of which we cannot grant permission.

We thereby request your campaign immediately remove the Emblem and the Phrase from its mailers, and, without limitation, from all other campaign materials including websites and other instances where the Emblem or the Phrase are being used. We also request that you provide us with a timetable as to your compliance with our requests.

For additional guidance in this area, please see the USMC's Trademark Office Web site, particularly the FAQ section at <http://www.marine.mil/trademark> that reads: I'm running for a political office and am a former Marine. Can I use Marine Corps trademarks on my campaign materials?

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Please be advised that you are more than welcome to simply and accurately state that you are a Marine Corps veteran, or provide other information about your service that is based on fact. As an alternative, we do offer a "Marine Veteran" logo (Attachment B) for use by Marines to indicate their pride in service. You are welcome to use the Marine Veteran logo to accurately indicate your service to the Corps. Thank you for your cooperation, and I look forward to hearing from you soon. My direct dial number is [REDACTED], should you or any of your office staff have any questions.

Sincerely, [REDACTED]